

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. John Christopher Rogers Jr.

Docket No. 4:07-CR-55-1BO

Petition for Action on Supervised Release

COMES NOW David W. Leake, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of John Christopher Rogers Jr., who upon an earlier plea of guilty to Possession of a Stolen Firearm and Ammunition, 18 U.S.C. §§ 922(j) and 924, was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on January 20, 2009, to the custody of the Bureau of Prisons for a term of 115 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years.

John Christopher Rogers Jr. was released from custody on June 29, 2016, at which time the term of supervised release commenced.

On November 30, 2016, the court was notified that the defendant had been charged with Driving While Impaired (16CR2439) in Pitt County on November 16, 2016, and given his employment and lack of prior violations, agreed with the recommendation to require him to complete a 2-day jail term. He completed the jail term as ordered.

On December 21, 2018, the court was notified that the defendant was cited for Driving While License Revoked or Suspended (17CR7139) on November 25, 2017, because he drove before satisfying all monetary requirements that were keeping his driver's license in a suspended status, and that he had fallen behind on repayment of his fine due to a decrease of his wages. Based upon the admonishment provided by the undersigned officer, the court agreed to continue supervision and reset the defendant's payment plan to resume in January 2018.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On November 28, 2018, the defendant was charged with Possession of Marijuana Paraphernalia and Defraud Drug/Alcohol Test 1st (18CR5922) in New Hanover County, North Carolina. When confronted on December 19, 2018, he expressed remorse, and explained that he let a friend use his apartment while he was away and was not aware that a jar used for smoking marijuana was left in the apartment. The defendant noted that the charging officers did not ask him to submit to drug or alcohol testing. It is noted that a urinalysis conducted in the U.S. Probation Office on December 11, 2018, showed no evidence of illegal drug use. The defendant was reprimanded for this conduct and reminded that he needs to exercise better judgment with choosing his associates. Given the defendant's remorse and the nature of the offense, it is recommended that he be ordered to complete 12 hours of community service and be continued on supervision. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall perform 12 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required fee.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ David W. Leake
David W. Leake
U.S. Probation Officer
414 Chestnut Street. Suite 102
Wilmington, NC 28401
Phone: 910-679-2045
Executed On: December 19, 2018

ORDER OF THE COURT

Considered and ordered this 20 day of December, 2018, and ordered filed and
made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
Chief U.S. District Judge